



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK
PLANNING AND ZONING COMMISSION**

Wednesday, May 9, 2007 7:00 P.M.

Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85242

1. **CALL TO ORDER**

2. **ROLL CALL**

Present

Chairman Ingram
Vice-Chairman Trapp-Jackson
Commissioner Moore
Commissioner Perry
Commissioner Sossaman
Commissioner Atkinson
Commissioner Brown

Absent

Staff

Present

Community Development Director Tom Condit
Planning Manager Brittingham
Principal Planner McCauley
Planner Sandidge
Planner Williams
Senior Planner Bolduc
Planning Assistant Moats

Absent

3. **CONSIDERATION OF MINUTES**

- Consideration of April 11, 2007 Work Study and Regular Session Minutes;

Motion: **Commissioner Sossaman**

To approve the April 11, 2007 Work Study and Regular Session Minutes, as presented.

Second: **Commissioner Atkinson**

Vote: **All ayes. Motion carried (7-0).**

4. **PUBLIC COMMENT** Members of the public may address the Commission on items not on the printed agenda. Please observe the time limit of three minutes. Speakers' cards are available at the door, and may be delivered to staff prior to the commencement of the meeting.

No one signed up to speak during the Public Comment period.

PUBLIC HEARINGS

5. **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON TA07-039, "TEXT AMENDMENT FOR SITE PLAN REVIEW PROCESS,** A request by the Town of Queen Creek for a text amendment to the Town of Queen Creek Zoning Ordinance, Article 3, to modify the processing and approval procedures for Site Plan Reviews. **A continuance is being requested.**

Motion: Commissioner Sossaman

To continue TA07-039, "Text Amendment for Site Plan Review Process", to the June 13, 2007 Planning & Zoning Commission Meeting.

2nd: Commissioner Perry

Vote: All Ayes. Motion carried. (7-0)

6. **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON TA07-029, "TEXT AMENDMENT TO ESTABLISH OPEN SPACE REQUIREMENTS FOR R-2, R-3, AND R-4 ZONING DISTRICTS"** A request by the Town of Queen Creek for a text amendment to the Town of Queen Creek Zoning Ordinance, Article 5, Section 5.5 to establish a standard percentage of open space requirements for R-2, R-3 and R-4 zoning classifications in Article 5.5 of the Town's Zoning Ordinance.

Planner Sandidge presented the staff report for the proposed Text Amendment, stating that sections will be added into Table 5.5-1 adding R-2 Zoning in the 20% Open Space category, and adding a 25% category for R-3 and R-4 Zoning Districts.

The second part of the amendment relates to the 25-year storm, will now be a 2 year-6 hour storm event.

Commissioner Moore asked how this compares to other Towns. Planner Sandidge responded she had researched this issue, and has found this is standard for surrounding towns.

There were no further questions from the Commission.

Chairman Ingram opened the Public hearing at 7:19 p.m. There were no public comments. The Public Hearing was closed.

Motion: **Commissioner Atkinson**

To recommend approval of TA07-029, “Text Amendment to Zoning Ordinance on Open Space Percentages”.

2nd: **Commissioner Moore.**

Vote: **All ayes. Motion carried. (7-0).**

7. **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON RZ06-115/SP06-114/CU07-023, “BROADSTONE AT QUEEN CREEK”**, A request by Ralph Pew of Pew and Lake, PLC, for approval of a Rezoning, Planned Area Development (PAD) Amendment, Conditional Use Permit, Site Plan, Landscape Plan and Building Elevations for Broadstone at Queen Creek, a 264-unit multi-family residential development on approximately 15 acres. The rezoning is to change the current PAD underlying zoning from R-4 Multi-Family to Town Center (TC). The project is located in the vicinity of the northeast corner of Ellsworth and Ocotillo Roads.

Commissioner Perry recused himself from discussion and action on this item, as he is the architect for the project.

Principal Planner McCauley presented the staff report, noting this proposal is Phase 2 of the Cornerstone at Queen Creek PAD and includes one-, two- and three-story buildings. Mr. McCauley outlined the PAD Amendment request, which is to change the current underlying PAD zoning from R-4 Multi-Family to Town Center (TC) to accommodate the applicant’s request for a Conditional Use Permit to allow building heights up to 40 feet.

Mr. McCauley provided specific building information, stating that Building 4 includes garage apartments. There are six building types total. Staff is recommending the architectural features of the clubhouse, the fitness center and the enclosed garage buildings match the architectural features of the apartment buildings. This has been stipulated in the staff report as Conditions of Approval.

Staff is recommending approval of the proposed project, subject to the conditions outlined in the staff report.

QUESTIONS FROM THE COMMISSION

In response to a question from Commissioner Sossaman, Mr. McCauley pointed out the garage apartments as Building Type 4.

There were no further questions of staff from the Commission.

Mr. Ralph Pew, 1930 E. Brown Road, Mesa, addressed the Commission on behalf of the applicant, Alliance Residential Development and architect Whitneybell Perry, Inc., stating this is the third implementation of the Cornerstone project, which was approved last year.

Mr. Pew stated the applicant concurs with all staff recommendations, except Condition #6: SHADE STRUCTURES OVER THE PLAYGROUND EQUIPMENT SHALL BE SOLID MATERIAL (I.E. STANDING SEAM METAL) AND NOT FABRIC (CANVAS). COLOR SHALL BE APPROVED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.

The applicant is requesting deletion of Condition #6, and approval of fabric shade structures for the following reasons:

- One of the playground structures is surrounded by three story buildings. If that playground is covered by a metal shade structure, it presents a completely boxed-in feeling.
- The playground equipment will not be visible from any public street.
- The applicant will maintain the shade structure. If the shade structure deteriorates, the applicant will repair it.
- Also, solid roofs surrounded by buildings may pose setback issues under Town code.

Commissioner Sossaman asked the applicant if they are aware of any mention of metal shade structures in Town Ordinance, or is the decision made on a case-by-case basis. Mr. Pew responded they are not requesting that they be allowed to have no covering; they are requesting that a fabric covering rather than metal/seam metal covering be allowed.

There were no further questions from the Commission.

Chairman Ingram opened the Public Hearing at 7:34 P.M. There were no public comments. The Public Hearing was closed at 7:34 p.m.

Commissioner Sossaman asked staff about the shade structure requirement, and whether or not Town Ordinance requires a metal shade structure. Mr. McCauley stated it is a policy that coverings be provided over tot-lots; however, it is not an ordinance requirement.

Planning Manager Brittingham clarified this has been implemented as a policy and consistently enforced. A forthcoming text amendment on this issue is possible.

Commissioner Atkinson questioned if there are pedestrian walkways between Queen Creek Village Center and the apartment complex. Mr. McCauley pointed out three pedestrian access points to the Cornerstone project.

Commissioner Atkinson asked if the pedestrian access points are only for the apartment residents. Mr. McCauley responded yes, the gated access points are provided for protection and privacy of the apartment residents. Commissioner Atkinson noted he is against gated complexes, and is only concerned about access being provided to public areas, such as the Cornerstone project.

Planning Manager Brittingham clarified this site plan is based on the original concept before the current site plan evolved, and before commercial pass-through traffic became a concern. Inclusion of standing seam metal for the shade structure is just one suggestion. However, other options are acceptable as well, such as barrel tile. The condition calls for a “permanent” type of material.

Motion: **Commissioner Sossaman**

To approve RZ06-115/SP06-114/CU07-023, “Broadstone at Queen Creek”, subject to the conditions of approval listed in the staff report, and the revision of Condition #6 to state “SHADE STRUCTURES OVER PLAYGROUND EQUIPMENT SHALL BE INSTALLED AND CAN BE EITHER FABRIC OR SOLID MATERIAL, THE COLOR OF WHICH SHALL BE APPROPRIATE WITH THE DESIGN AND ARCHITECTURE OF THE REMAINDER OF THE PROJECT.”

2nd: **Commissioner Brown**

Commissioner Sossaman provided reasons for his revision to the conditions of approval, stating that fabric shade structures are appropriate in that they provide for more air flow, while still providing adequate shading, etc.

Vice-Chairman Trapp-Jackson requested that the applicant work with staff to ensure the proper color and material of the shade structure. Planning Manager Brittingham concurred.

Vote: **All ayes. Motion carried. (7-0).**

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

8. **DISCUSSION AND POSSIBLE ACTION ON SD07-013, “PEGASUS AIRPARK, PHASE 5 AMENDED PRELIMINARY PLAT”**, A request by Greg Davis of Iplan Consulting, on behalf of Circle G Pegasus LLC to re-plat Pegasus Airpark Phase Two Hangar of Pegasus Airpark. The proposal will eliminate three hangar buildings, add six aviation lots and relocate one hangar building. The project is located approximately one-quarter mile east of Ellsworth Road and north of Empire Road. **This item was continued from the April 11, 2007 Planning Commission Meeting.**

Planner Sandidge presented the staff report, stating the entire Pegasus Airpark is 320 acres. The proposal for re-plat consists of 14.66 acres. The re-plat of hangars will house multiple airplanes. The amended plat is comprised of six residential lots and four hangar buildings. Each of the residential lots is over an acre in size. The entrance point has been revised. Ms. Sandidge illustrated the landscape and fence/gate plans, noting this is a gated community.

Staff is recommending approval of the project, subject to the conditions listed in the staff report.

Chairman Ingram asked if the aviation lots that are one acre or more in size have equestrian privileges. Ms. Sandidge responded the lots are either classified as equestrian or aviation lots. The lots being created under this re-plat are aviation lots. The plan calls out the specific number of aviation lots and a specific number of equestrian lots.

Greg Davis of IPlan consulting, 4684 S. Star Canyon Road, Gilbert, addressed the Commission. He stated he did not believe the aviation lots are prohibited from having horses; however, he finds that most people who are on aviation lots do not have horses.

Motion: Commissioner Perry

To approve SD07-013, “Pegasus Airpark Phase 5 Amended Preliminary Plat”, subject to the conditions of approval set forth in the staff report.

2nd: Commissioner Atkinson.

Vote: All ayes. Motion carried. (7-0).

Chairman Ingram requested that the corrections requested on the staff report during Work Study be completed. Staff concurred.

9. **DISCUSSION AND POSSIBLE ACTION ON DR07-021, “JASMINE AT CHARLESTON ESTATES BY ELEMENT HOMES** a request by Logan Powel of Element Homes for design review approval of (4) four standard floor plans with (3) three elevations each on a total of 72 lots zoned R1-9. The development is located west of Signal Butte Road north of Ocotillo Road and south of Queen Creek Road.

Planner Ramos presented the staff report, illustrating each plan and elevation. Mr. Ramos noted the applicant has made enhancements to the elevations, which were requested at the Town Council introduction meeting on March 7, 2007.

Commissioner Moore asked for clarification on recessed windows, inquiring as to if they are considered pop-outs. Mr. Ramos responded the window is framed by 2X6 instead of 2X4, and the windows are recessed 2 to 6 inches. Commissioner Moore if this is a requirement of the builders by staff. Mr. Ramos responded this is part of the Residential Design Guidelines, but not required on all windows – just on three sides of each elevation. Commissioner Sossaman added that sides and back are sometimes pop-outs instead of recessed windows.

There were no further questions from the Commission.

Motion: Vice-Chairman Trapp-Jackson

To approve DR07-021, “Jasmine at Charleston Estates”, subject to the conditions set forth in the staff report.

Second: Commissioner Moore

Vote: All ayes. Motion carried (7-0).

10. **DISCUSSION AND POSSIBLE ACTION ON SD07-049, "VILLAGES OFFICE SUITES CONDOMINIUM PLAT**, A request by M. Joe Bayer of Main Spring Capital V, LLC for approval of condominium suites for an office complex of approximately 29,500 square feet on approximately 2.07 acres currently zoned C-2 (General Commercial). The proposed site is located on the east side of Ellsworth Road at Sierra Park Boulevard.

Planner Williams presented the staff report, stating the proposal consists of a condominium plat for nine units to be created with three buildings currently under construction and anticipated to be completed within 45 days for the shell buildings. Only three of the four buildings will be subdivided. The fourth building will house only one tenant. The subdivision of the buildings follows:

- Building E - 2 suites;
- Building F - 2 suites;
- Building G - one tenant;
- Building H - 5 suites

Staff is recommending approval of the project, subject to the conditions set forth in the staff report.

Motion: Commissioner Atkinson

To approve SD07-049, "Villages Office Suites Condominium Plat", subject to the conditions set forth in the staff report.

2nd: Commissioner Sossaman

Vote: All ayes. Motion carried. (7-0).

ADMINISTRATIVE ITEMS (if not done during Work Study)

11. **REVIEW** of next month's agenda items.
12. **REPORT** on Town Council Action
13. **COMMUNICATION** from members of the Commission and Staff.
14. **ADJOURNMENT**

Motion: Commissioner Sossaman

To adjourn.

2nd: Commissioner Atkinson

Vote: All ayes. Motion carried (7-0).

The meeting adjourned at 7:56 P.M.

PLANNING AND ZONING COMMISSION

Steve Ingram, Chairman

Laura Moats, Planning Assistant

I, Laura Moats, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the May 9, 2007 Regular Session of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 14th day of June, 2007.

Passed and Approved this 13th day of June, 2007.